

Travel Report for the 69th Annual NCAI Convention, Sacramento, CA

October 21st to October 26th, 2012

Tribal Councilor Winnay Wemigwase

I attended the 69th Annual National Congress of American Indians (NCAI) Convention held October 21st through October 26th in Sacramento, California. The theme of the event this year was “Our Rights, Our Sovereignty,” and, as such, there were many activities, speakers and educational sessions devoted to reminding us of our responsibilities to ensure continued protection of our sovereignty as tribal nations.

Here are some of the highlights from my attendance at the Convention, meetings and educational breakout sessions:

The Midwest Caucus meeting that I attended was chaired by Matt Wesaw, Chairman of the Pokagon Band of Potawatomi and the NCAI Vice President-Midwest Region. We received updates on National Indian Health Board initiatives and conference planning; the process for the NCAI Constitutional Convention scheduled for Thursday, October 25th at the General Assembly; heard introductions from all of the attendees at the caucus meeting, including many youth; heard a “plug” for the Native American Business Institute Youth Program at Michigan State University (

I really enjoyed attending the General Assemblies where attendees received updates on various, vital issues in Indian Country. Most speakers were allotted between thirty to sixty minutes to speak before the entire conference “population.” Some of the highlights:

Rebecca Moore, Outreach Leader for Google Earth spoke about some of the work they have been doing to help indigenous peoples document and preserve their history and culture as it relates to land. She showed a video about the Surui people from Brazil. They enlisted the help of Google to create

a cultural map of their territory within the Amazon. It was a case study she shared with us to inspire other projects and collaborations with Google and our communities.

The First Nations Experience (FNX) Television Channel was announced at NCAI last year in Portland, OR. They provided an update on their growth and asked for more support from the tribes in attendance in the upcoming year. They had a booth in the Marketplace, and asked that people visit their table to discuss content that tribes can recommend, provide or create to be showed on FNX. They also played a brief video of the current line-up of programming already on the channel. Lastly, they asked that tribes go back home and make requests of their local Public Broadcasting providers to ask that FNX be put on the sub-channel that each Public Broadcasting channel has as part of the programming they provide.

I was also able to participate in the NCAI Constitutional Convention during one of the General Assemblies. There were nine proposed amendments to the NCAI Constitution that were presented, debated and voted on by the tribes, Tribal Delegates and Individual Members. It was a great learning experience to see how this was done. The most controversial amendment had to do with NCAI continuing to allow non-federally recognized tribes to be members. It was voted down after a lot of debate and excellent arguments by both the proponents and opponents.

We were also addressed by the Native Vote Organization to remind us to get out and vote on Election Day and to bring to our attention some resources for educating our communities. One resource can be found at <http://tinyurl.com>. It provides information for teaching Native Vote curriculum in schools. There is also information on their website regarding the “Native Portion” of their “Democracy Class” materials which can also assist tribes in educational efforts (<http://tinyurl.com/rtnv2012>).

During the Legal and Legislative updates, many excellent points were made by the speakers. They spoke about the fact that there have been lots of sovereign immunity coming up lately. It was said

that it may be due to insurance companies and their lack of understanding of jurisdiction and sovereign immunity. We were urged to be careful that insurance companies that we use do not require that they provide all legal defense because they use sovereign immunity in a way that can actually hurt sovereignty. Another point that was made was that Indian Country has had only one win and eight losses at the federal Supreme Court level. It was argued that if the Supreme Court can overturn “understandings” from almost eight decades of negotiation and agreement between the United States and Indian tribes, then what makes us think that they won’t start to reconsider and reinterpret our treaties and other parts of our sovereignty. One speculation is that this is due to a growing belief that Indians are only an “ethnic group,” within the United States. We need to educate and talk to legislators to remind them that we are the only “ethnic group” mentioned in the United States Constitution. It is important to try to keep our cases regarding sovereign immunity, trust land issues, jurisdiction and ICWA out of the hands of the Supreme Court.

We also received an update on the Violence Against Women Act (VAWA). The reason why VAWA has not moved forward is because of a controversial revenue provision that has stalled it from going forward to the House of Representatives. Also, female Senate leadership refuses to push it forward because they do not feel they should compromise on the bill and are reluctant to send forward any controversial legislation. It is important for tribes to push the VAWA bill through during the upcoming lame duck session. It was also stated that it has been 661 days since VAWA expired; 163 days since Congress last acted on VAWA; and, 51 days until Congress ends this session and this current, proposed VAWA may die. It was also mentioned that this is the first time VAWA has been controversial.

A review of the activities of the Inter-Tribal Tax Initiative Working Group was given. The group identified four main areas of concern that need to be addressed: tax exempt bonding authority, the IRS General Welfare Exclusion as it should pertain to tribes, state taxation of permanent improvements to

trust land and PACT Act/STOP Act tobacco compliance issues as tribes often sell tobacco as one of their economic developments practices.

I also attended an Education Committee Meeting where they discussed and voted on resolutions that would be forwarded to the rest of the NCAI membership for voting on at the constitutional convention. Most of the people at the meeting were education professionals from tribal schools, colleges, tribal education departments and state and federal education departments. All of the resolutions can be found on NCAI's website under "Resolutions."

I truly enjoyed and felt humbled to be attending this convention. It was a reminder of how important our work as leadership is not only for our community but for all of Indian Country. There were so many topics and issues that will require a lot from us in order to make things better for our people. It was also a reminder that we can accomplish a lot if we try to find common ground with other tribes and work together. I am very thankful that I was approved to attend this session. Miigwech.

Winnay Wemigwase